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ESM1/0228

FITZPATRICK, CELLA, HARPER & SCINTO  
277 PARK AVE.  
NEW YORK, NY 10172

**NOTICE OF ALLOWANCE  
AND ISSUE FEE DUE**

- ☐ Note attached communication from the Examiner  
☐ This notice is issued in view of applicant's communication filed

SERIES CODE/SERIAL NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
05/023,318	02/26/93	007	NGUYEN, T	2507 02/26/96
First Named Applicant	SCHOFIELD,	KENNETH		
TITLE OF INVENTION AUTOMATIC REARVIEW MIRROR SYSTEM USING A PHOTSENSOR ARRAY				

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEE DUE	DATE DUE
2 198.2200	359.204.000	U12	UTILITY	NO	\$1250.00	05/22/96

**THE APPLICATION IDENTIFIES ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED.**

**THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.**

**HOW TO RESPOND TO THIS NOTICE:**

- I. Review the SMALL ENTITY Status shown above.  
If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the patent and Trademark Office of the change in status, or  
B. If the Status is the same, pay the FEE DUE shown above.

If the SMALL ENTITY is shown as NO:

- A. Pay FEE DUE shown above, or  
B. File verified statement of Small Entity Status before, or with, pay of 1/2 the FEE DUE shown above.

- II. Part B of this notice should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B should be completed and returned. If you are charging the ISSUE FEE to your deposit account, Part C of this notice should also be completed and returned.

- III. All communications regarding this application must give series code (or filing date), serial number and batch number. Please direct all communication prior to issuance to Box ISSUE FEE unless advised to contrary.

**IMPORTANT REMINDER: Patents Issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO
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08/023,918 02/26/93 SCHOFIELD

K 690-2200

EXAMINER

NGUYEN, T

ESM1/0226

FITZPATRICK, CELLA, HARPER & SCINTO  
277 PARK AVE.  
NEW YORK, NY 10172

ART UNIT

PAPER NUMBER

2507

DATE MAILED: 02/26/96

#### NOTICE OF ALLOWABILITY

##### PART I

- ☒ This communication is responsive to Amendment filed on 10/6/94 and Election of 1/23/96
- ☒ All the claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice Of Allowance And Issue Fee Due or other appropriate communication will be sent in due course.
- ☒ The allowed claims are 1-87
- ☐ The drawings filed on \_\_\_\_\_ are acceptable.
- ☐ Acknowledgment is made of the claim for priority under 35 U.S.C. 119. The certified copy has [ ] been received. [ ] not been received. [ ] been filed in parent application Serial No. \_\_\_\_\_, filed on \_\_\_\_\_.
- ☐ Note the attached Examiner's Amendment.
- ☐ Note the attached Examiner Interview Summary Record, PTOL-413.
- ☐ Note the attached Examiner's Statement of Reasons for Allowance.
- ☐ Note the attached NOTICE OF REFERENCES CITED, PTO-892.
- ☐ Note the attached INFORMATION DISCLOSURE CITATION, PTO-1449.

##### PART II


A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" indicated on this form. Failure to timely comply will result in the ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- ☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
- ☒ APPLICANT MUST MAKE THE DRAWING CHANGES INDICATED BELOW IN THE MANNER SET FORTH ON THE REVERSE SIDE OF THIS PAPER.
  - ☒ Drawing informalities are indicated on the NOTICE RE PATENT DRAWINGS, PTO-948, attached ~~to~~ to Paper No. 8. CORRECTION IS REQUIRED.
  - ☐ The proposed drawing correction filed on \_\_\_\_\_ has been approved by the examiner. CORRECTION IS REQUIRED.
  - ☐ Approved drawing corrections are described by the examiner in the attached EXAMINER'S AMENDMENT. CORRECTION IS REQUIRED.
  - ☒ Formal drawings are now REQUIRED.

Any response to this letter should include in the upper right hand corner, the following information from the NOTICE OF ALLOWANCE AND ISSUE FEE DUE: ISSUE BATCH NUMBER, DATE OF THE NOTICE OF ALLOWANCE, AND SERIAL NUMBER.

##### Attachments:

- Examiner's Amendment
- Examiner Interview Summary Record, PTOL-413
- Reasons for Allowance
- Notice of References Cited, PTO-892
- Information Disclosure Citation, PTO-1449
- Notice of Informal Application, PTO-152
- Notice re Patent Drawings, PTO-948
- ☒ Listing of Bonded Draftsmen
- Other

  
THONG Q. NGUYEN  
PATENT EXAMINER  
GROUP ART UNIT 2507

Serial Number: 08/023,918  
Art Unit: 2507

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Newly submitted claims 88-104 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons:

Restriction to one of the following inventions is required under 35 U.S.C. § 121:

I. Claims 1-87, drawn to an automatic rearview mirror system having at least one mirror, and a control system for controlling the reflectance of the mirror wherein the control system comprising at least a set of photosensor arrays for detecting the light intensity level of light incident thereon, and a driving circuit for controlling the reflectance of the at least one mirror at a desired reflectance level.

II. Claims 88-104, drawn to an automatic rearview mirror system having an interior mirror and an exterior mirror, and a photosensor system for controlling independently the reflectance of the mirrors. The device as claimed in this group does not need a control circuit connecting to a plurality of driving circuit for controlling the reflectance of the mirrors as recited in group I.

The inventions are distinct, each from the other because of the following reasons:

The two inventions as described above directs to different areas of inventive effort, and contains different limitations

relating to the control system for controlling the operation of the mirrors. Applicant should note that the control system for controlling the operation of the mirrors as recited in group II does not need the information relating to the peak light level and the back light level as recited in group I and vice verse. The different limitations recited in one group and not recited in other group would cause a "serious burden" to the Examiner if a restriction requirement has not made.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 88-104 have been withdrawn from consideration as being directed to a non-elected invention. See 37 C.F.R. § 1.142(b) and M.P.E.P. § 821.03.

Claims 1-87 are allowable over the prior art of record.

This application is in condition for allowance except for the presence of claims 88-104 to an invention which is subjected

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to a restriction requirement for the reasons as set forth above. APPLICANT IS GIVEN **THIRTY DAYS** FROM THE DATE OF THIS LETTER TO CANCEL THE NOTED CLAIMS OR TAKE OTHER APPROPRIATE ACTION (37 C.F.R. § 1.144). Failure to take action during this period will be treated as authorization to cancel the noted claims by Examiner's Amendment and pass the case to issue. Extensions of time under 37 C.F.R. § 1.136(a) will not be permitted since this application will be passed to issue.

The prosecution of this case is closed except for consideration of the above matter.

The prior art submitted by applicant has been considered.

Papers related to this application may be submitted to Group 2500 by facsimile transmission. Papers should be faxed to group 2500 via the PTO Fax Center located in the Crystal Plaza 2. The Faxing of such papers must conform with the notice published in the Official Gazette, 1096 OG 30 (November 15, 1989). The CP-2 Fax Center number is (703) 308-7726.

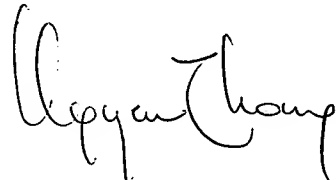
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Art Unit: 2507

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Exam. Nguyen whose telephone number is (703) 308-4814. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

Nguyen

12/22/95

  
**THONG Q. NGUYEN**  
**PATENT EXAMINER**  
**GROUP ART UNIT 2507**